

and all outstanding bonds and notes shall be paid in full, both principal and interest, in accordance with their terms, and the changes herein made in the allocation of the available university fund shall not affect the pledges thereof made in connection with such bonds or notes heretofore issued. If the provisions of this section conflict with any other provision of this constitution, then the provisions of this section shall prevail, notwithstanding any such conflicting provisions.

SECTION 13. Section 2, Article XV, Texas Constitution, is amended to read as follows:

Sec. 2. Impeachment of the Governor, Lieutenant Governor, Attorney General, ~~Treasurer,~~ Commissioner of the General Land Office, Comptroller and the Judges of the Supreme Court, Court of Appeals and District Court shall be tried by the Senate.

SECTION 14. Subsections (h) and (q), Section 70, Article XVI, Texas Constitution, are amended to read as follows:

(h) The board of trustees shall establish and operate the fund to the extent practical under the generally accepted business procedures relating to a mutual fund and shall value the investments for determining the purchase or sales price of participating shares of investing funds or systems participating in the fund consistent with investment contracts. Evidences of participation in the fund shall be held by the *comptroller of public accounts* ~~[state treasurer]~~ in keeping with the custodial responsibilities of that office.

(q) This section is self-executing and takes effect on its adoption by the voters. All state officials named in this section ~~[the state treasurer,~~ and the comptroller of public accounts shall take all necessary actions for the implementation of this section. The legislature shall provide by law for full disclosure of all details concerning investments authorized by this section.

SECTION 15. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment abolishing the office of state treasurer."

Adopted by the Senate on March 16, 1995: Yeas 23, Nays 7; the Senate concurred in House amendments on May 24, 1995: Yeas 30, Nays 1; adopted by the House, with amendments, on May 19, 1995: Yeas 107, Nays 18, two present not voting.

Filed with the Secretary of State May 30, 1995.

S.J.R. No. 7

SENATE JOINT RESOLUTION

proposing a constitutional amendment allowing investment of money from the Texas growth fund in a business without the business's disclosure of its investments in or with South Africa or Namibia.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article XVI, Section 70(r), of the Texas Constitution is repealed.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment allowing investment of money from the Texas growth fund in a business without the business's disclosure of its investments in or with South Africa or Namibia."

Adopted by the Senate on January 31, 1995: Yeas 30, Nays 0; adopted by the House on May 23, 1995: Yeas 146, Nays 0, one present not voting.

Filed with the Secretary of State May 25, 1995.

S.J.R. No. 36

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation certain property of certain organizations chartered by the Congress of the Republic of Texas.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Section 2, of the Texas Constitution is amended by adding Subsection (d) to read as follows:

(d) The legislature by general law may exempt from ad valorem taxation the property of an organization chartered by the Congress of the Republic of Texas that has been in continuous existence since the date it was chartered if the property is used primarily for the charitable, benevolent, or public service activities of the organization as defined by general law. The legislature may provide for the administration of an exemption authorized by this subsection and may provide additional qualifications and limitations for an exemption authorized by this subsection.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to exempt from ad valorem taxation property of an organization chartered by the Congress of the Republic of Texas that is used primarily for the charitable, benevolent, or public service activities of the organization."

Adopted by the Senate on April 24, 1995: Yeas 30, Nays 0; adopted by the House on May 17, 1995: Yeas 132, Nays 3, seven present not voting.

Filed with the Secretary of State May 22, 1995.

S.J.R. No. 46
SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting an encumbrance to be fixed on homestead property for an owelty of partition and the refinancing of a lien against a homestead.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 50. The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for the purchase money thereof, or a part of such purchase money, the taxes due thereon, *an owelty of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding, the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead; nor may the owner or claimant of the property claimed as homestead, if married, sell or abandon the homestead without the consent of the other spouse, given in such manner as may be prescribed by law. No mortgage, trust deed, or other lien on the homestead shall ever be valid, except for a debt described by this section* ~~[the purchase money therefor, or improvements made thereon, as hereinbefore provided]~~, whether such mortgage, or trust deed, or other lien, shall have been created by the owner alone, or together with his or her spouse, in case the owner is married. All pretended sales of the homestead involving any condition of defeasance shall be void. *A purchaser or lender for value without actual knowledge may conclusively rely on an affidavit that designates other property as the homestead of the affiant and that states that the property to be conveyed or encumbered is not the homestead of the affiant* ~~[This amendment shall become effective upon its adoption]~~.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment permitting an encumbrance to be fixed on homestead property for an owelty of partition, including a debt of a spouse resulting